

TOWN OF LANESBOROUGH SELECTMEN'S MEETING

Submitted by Diane Stevens, Town Secretary

November 9, 2015

Present: Mr. John Goerlach, Chairman
Mr. Robert Ericson
Mr. Henry Sayers
Mr. Paul Sieloff, Town Administrator

Warrants: Warrant Signed

The meeting was opened by John Goerlach at 6:00 p.m.

Public Comment

Michelle Johnson came before the Board to ask for clarification regarding the Hoosac Valley proposal. Ms. Johnson stated that she felt the issue had already been resolved at the School Committee meeting. Mr. Goerlach stated that it had been decided at a past Selectmen's meeting that it would be a paper ballot question at the Special Town Meeting. Mr. Goerlach further stated that he was disappointed with the meeting held by the Lanesborough Elementary School Committee at the Mount Greylock High School last month as it did not give residents the opportunity to attend. Mr. Goerlach stated that the issue had to go to the School Committee but it was also decided it would be brought to Town residents to get their input. Ms. Johnson asked the Board what they were proposing. Mr. Sieloff stated that it is simply a survey vote to get a sense of what the community thinks. Ms. Johnson asked why it needed to be a paper ballot and Mr. Goerlach stated that it will make residents feel more comfortable. Robert Ericson stated that a number of residents have approached him about the meeting at Greylock and felt it should have been opened to a broader audience. Ms. Johnson stated that the residents voted for the School Board to make these decision not the Selectmen. Mr. Goerlach thanked Ms. Johnson for her opinion.

Motion 15-161. Motion made by Robert Ericson to set the date for a Special Town Meeting for December 1, 2015 at 6:00 p.m., seconded by Henry Sayers. Motion carried 3-0.

Permit(s) / Contract(s) / Use of Town Property or Notification to Town of Community Event / Appointment(s)

Berkshire Gas Company – Application for new gas main and service – 25 Bena Street

The Board was presented with a Memorandum from DPW Director Decelles dated November 9, 2015, relative to the application which stated that he would like to be notified when work begins and it should be completed before the frost settled in and that the new line be installed a minimum of three (3) feet below the existing road. Motion 15-171. Motion made by Henry Sayers to approve the Application for new gas main and service of Berkshire Gas Company for 25 Bena Street with the conditions set forth in the Memorandum from DPW Director Decelles dated November 9, 2015, seconded by Robert Ericson. Motion carried 3-0.[#1]

Special Town Meeting for December 1, 2015 - Mount Greylock School Agreement Amendments

Mr. Sayers asked Carrie Green, Mount Greylock School Committee Chair, what the percentage rate was for the Town of Lanesborough's share of the Mount Greylock School costs. Ms. Green stated it was 67/33. Mr. Sayers was concerned with the language changes and stated that the Board was told the only change would be the bond and there was not enough time to make additional changes; but when the Agreement was presented there were additional changes in it other than the bond. Ms. Greene and Attorney Fred Dupere (legal counsel for Mount Greylock Regional High School) stated that the language that was added is protocol from the Department of Education. Mr. Sayers stated that he is concerned about the time line for other schools to join. Ms. Greene stated that a deadline is necessary but towns will still need a town vote in order to join. Ms. Greene stated that the only local change that was made was the bond. Attorney Dupere stated that he reviewed the document and everything appears to be in order. Motion 15-162. Motion made by Robert Ericson to add Article 1 to the Special Town Meeting Warrant, seconded by John Goerlach. Motion carried 2-1. Henry Sayers opposed. Ms. Greene handed the Board a copy of the enrollment trend over the next few years for their review and stated that Lanesborough will benefit from this Agreement based on the numbers presented. Mr. Sayers asked how many Lanesborough students would have to increase or decrease to change the Town's assessment by 1% in either direction and in particular he asked if the number of students was 14 to shift the percentage. Mr. Sieloff stated that he would check into this. [#2]

Proposed election or letter with ballot question to Town residents about Hoosac Valley proposal

Mr. Sieloff stated that he has proposed language which has not been vetted by Town Counsel. Mr. Sieloff read Article 9 to the Board. Mr. Goerlach stated that he has no objection if it is approved by Town Counsel. Mr. Sieloff stated that he would have Town Counsel review it prior to the Board's meeting on Thursday night. Mr. Ericson believed that the wording was ambiguous and should be made clearer. Ms. Greene presented the Board with a flow chart that was designed by Mr. Richard Cohen for their information. Mr. Ericson stated that Articles are going to have to be introduced very carefully at Town Meeting so residents understand what they are voting for. Mr. Sieloff stated that he will ask Town Counsel to revise the language to make easier to understand and to make sure that everyone knows it is only a survey. Motion 15-164. Motion made by Robert Ericson to place Article 9 on the Special Town Meeting Warrant, subject to language changes and approval by Town Counsel, seconded by Henry Sayers. Motion carried 3-0.

Special Town Meeting – Possible Warrant Articles

Soliciting and Canvassing Bylaw

Mr. Sieloff stated that this requirement is being made for people going door to door. Mr. Ericson asked if charitable organizations are excluded. Chief Sorrell believes that they are as well as religious organizations. Mr. Ericson believed that language should be added to the end of Section 1.6.1 on page 12 which states that "however local officials shall be notified." Mr. Sieloff stated that he would check with Town Counsel on this additional language. Mr. Ericson would also like to change the time in Section 1.8 (c) on page 13 to an end time of 7:00 p.m. Motion 15-169. Motion made by Henry Sayers to place Article 6 on the Special Town Meeting Warrant, as amended above, seconded by Robert Ericson. Motion carried 3-0.

Chicken and Rabbit Bylaw

Mr. Sieloff stated that this Article was created by Town Counsel. Mr. Sieloff stated that he would like to add language that roosters would not be allowed if there is less than one acre of property but will check with Town Counsel to make sure this is acceptable. Motion 15-166. Motion made by Robert Ericson to place Article 3 on the Special Town Meeting Warrant, seconded by Henry Sayers. Motion carried 3-0.

Burglar Alarm Bylaw

Mr. Sieloff stated that there is currently a Bylaw for fire alarms but not for security alarms. Chief Sorrell stated that this Bylaw would encourage property owners to repair their alarm systems rather than be fined so the Department would not have to respond to numerous false alarms at any one residence. Mr. Ericson asked if the Town pays Fire Department workers for fire alarm responses. Mr. Panesco (on behalf of the Lanesborough Fire Department) stated that it did not. Mr. Sayers would like the language to reflect that the first two false alarms would have no fine and the third false alarm would be a \$100 fine. Mr. Goerlach asked Chief Sorrell if this language will be handed out to residents with alarm systems. Chief Sorrell said it will when they register the system with the Town. Motion 15-168. Motion made by Henry Sayers to place Article 5 on the Special Town Meeting Warrant, as amended above, seconded by Robert Ericson. Motion carried 3-0.

Town Accountant Budget Transfer - \$4,000

Mr. Sieloff stated that the Finance Committee is recommending a longer overlap of time for the Town Accountant to work with the new Town Accountant when one is hired and this additional money will be needed to cover the cost. Motion 15-165. Motion made by Robert Ericson to place Article 2 on the Special Town Meeting Warrant, seconded by Henry Sayers. Motion carried 3-0.

Overnight Parking Ban Bylaw

Mr. Sieloff stated that an ad is placed in the Berkshire Eagle each year relative to the overnight parking ban but would like the Board to vote to add this to the Town's Bylaws. Chief Sorrell asked about snow emergencies. Mr. Goerlach stated that snow emergencies have always been through a vote of the Board. The Board agreed that the parking ban should be from November 1 through March 31. Mr. Goerlach asked if Chief Sorrell wanted to add language that towing of vehicles will be at the owner's expense. Mr. Sieloff stated that he will check to see if this is covered under another Bylaw. Motion 15-167. Motion made by Robert Ericson to place Article 4 on the Special Town Meeting Warrant, as amended, seconded by Henry Sayers. Motion carried 3-0.

Discontinuing Katherine Street Paper Road

Mr. Sieloff stated that he is waiting for language for this Article. Mr. Sieloff stated that this was a recommendation of the Roads and Rights of Way Committee years ago and it had not been acted upon. Mr. Sieloff reviewed the list with DPW Director Decelles and it was determined that Katherine Street was replaced by the Narragansett causeway. Mr. Sieloff stated that if you look at maps from years ago it shows that it is a paper street than runs through approximately 4 different properties. Mr. Goerlach asked if it could be sold to those property owners. Mr. Sieloff stated that he believes that the Town would receive a bit extra in property taxes if the road is discontinued as it would revert back to the owners of the property but he will check to see if it can be sold to them. Mr. Sieloff stated that he would get the Board copies of the maps for their review together with additional language as soon as he receives but it may not be ready to add to the Warrant.

Open Container Ban during Youth Sporting Events Bylaw

The Board unanimously agreed not to place Article 7 on the Special Town Meeting Warrant. [#3]

Approval of notice to Berkshire Eagle of Snow Removal Bylaw / Overnight Parking Ban

Mr. Sieloff presented the Board with a proposed notice to the Berkshire Eagle relative to the Town's Snow Removal Bylaw and Overnight Parking Ban for their approval. Motion 15-170. Motion made by Robert Ericson to approve the Snow Removal Bylaw and Overnight Parking Ban notice to the Berkshire Eagle, seconded by Henry Sayers. Motion carried 3-0. [#4]

Approval of Fire Department Pumper Truck purchase

Charles Durfee and Mike Nugai from Greenwood Emergency Vehicles came before the Board on behalf of the Fire Department relative to the purchase of a pumper truck in the amount of \$475,885.00. Chief Durfee stated that the Town voted to purchase this new truck and it is being purchased through a state contract. Mr. Goerlach asked Chief Durfee about the type of vehicle that was being purchased. Chief Durfee stated that it would be replacing a 29 year old vehicle. Mr. Sayers asked if there would be a trade involved. Chief Durfee said there would not be. Mr. Nugai stated that they will broker the old vehicle to see if it can be sold. Mr. Nugai stated that their business provides this service at no fee to the Town. Mr. Goerlach asked if it was voted on at town meeting to purchase this vehicle with no trade-in. Mr. Sieloff stated that he will check on that. Mr. Sieloff stated that \$300,000 of the purchase price has been put in Stabilization and other funds over the last two years in order to purchase this vehicle and the balance will be borrowed. Motion 15-163. Motion made by Henry Sayers to accept the proposal from Greenwood Emergency Vehicle to purchase a pumper truck for \$475,885.00, seconded by Robert Ericson. Motion carried 3-0. Chief Durfee asked for Mr. Sieloff to draft an award letter for the purchase. [#5]

Police Station Furnace Project

Mr. Ericson stated that the project is complete.

Street Light Request from local resident to add light to 22 Balance Rock Road

Mr. Sieloff informed the Board that a resident had contacted the Town Hall again to voice her concern over the lack of street lights near her property. Mr. Sieloff asked Mr. Ericson if this could be taken care of. Motion 15-172. Motion made by Robert Ericson to send a letter to Eversource to move the light on Pole #12/1 on Balance Rock Road to Pole #12/2 and move the light on Pole #12/3 to the Pole #12/4 and upgrade both new poles to 6300 hps. and also upgrade Pole #63/6 and #63/7 located on North Main Street (near the Old Forge Restaurant) to 6300 hps., seconded Henry Sayers. Motion carried 3-0.

Mr. Sieloff informed the Board that Lyndsey Turner from 18 Grove Avenue contacted the Town relative to the visibility with no street lights near her property. Mr. Ericson stated there were other circumstances surrounding the break in that occurred to Ms. Turner's vehicle which prompted her contacting the Town. Mr. Sayers stated that street lights can be added at the expense of the resident and asked Mr. Sieloff to send out a letter to that affect. [#6]

Quarterly review of Board's Open Projects List – Page 2

Mr. Sieloff and the Board reviewed Page 2 of the list remaining from the previous meeting. The Board made their suggestions some of which included the Town Beach Annual Maintenance. Mr. Goerlach asked Mr. Sieloff to have the DPW Director drawn up a plan for this maintenance. The Board agreed to remove items nos. 38, 50 and 52 from the list. Mr. Ericson would like to look at the job description for the Town Accountant to make changes if necessary before the new hire. The Board would like Mr. Sieloff to follow up on item #41. Mr. Sieloff stated that he would follow up with the Board of Health. Item #54 (consider ban on styrofoam use) - Mr. Sieloff stated that he would see if this could be added as a Bylaw for the Town Meeting in June. Mr. Sayers would like to check with the State as the Town may not have to do adopt a bylaw. Mr. Sieloff will follow up. [#7]

Town Administrator's Contract

Mr. Sieloff discussed the terms of the three proposed contract changes with the Board. Mr. Sieloff asked the Board if they had any questions. Mr. Sayers stated that he would like to meet with the Town's labor counsel. Mr. Sieloff stated he could ask him to attend the next meeting. Mr. Goerlach would like to track the projects Mr. Sieloff is working on. Mr. Goerlach stated that he is reluctant to give more vacation time and would like to discuss this further with Mr. Sieloff. Mr. Ericson stated that the proposal is for a 9.1% increase. Mr. Sieloff stated that he is comfortable with the proposed changes because of the improvement to Town operations over the past 3 years in the areas of budgeting, capital planning, administration and management. Mr. Goerlach asked if he would forgo raises if the higher rate in pay is given. Mr. Sieloff asked the Board to gather their questions to present to counsel at a future meeting.

Other business which could not have been reasonably foreseen within 48 hours of the meeting.

None.

Selectmen's Items

Mr. Sayers asked if there could be a public informational meeting before the Special Town Meeting. Mr. Sieloff will look into this or having short presentations before the Special Town Meeting begins. Mr. Sayers asked Mr. Sieloff about Rockwell Road. Mr. Sieloff stated he would look into this. Mr. Goerlach asked about the \$10,000 surety bond for any contractor working in Lanesborough (with building department and Board of Health for septic installers). The Town Secretary will check with Pittsfield to see what their policy is and it will be placed on the next Agenda.

Town Administrator Report

Mr. Sieloff reported that the Police Department received the grants for new defibrillators. Mr. Goerlach asked about the photo opportunity that they originally suggested. Mr. Sieloff will follow up with the Chief. Mr. Sayers asked about the status of the Police Department switching over for ICM. Mr. Sieloff stated that the Chief is in the process of switching over.

Approve Minutes

Motion made by Robert Ericson to approve the Minutes of October 26, 2015, seconded by Henry Sayers. Motion carried 3-0

Adjournment

Motion to continue meeting until Thursday at 5:00 p.m. made by Robert Ericson, seconded by Henry Sayers. Motion carried 3-0. *

Footnotes:

- [#1] Application for New Gas Main and Service - Berkshire Gas Company – 25 Bena Street
- [#2] Mount Greylock School Agreement Amendments
- [#3] Proposed Special Town Meeting Warrant
- [#4] Proposed Notice to Berkshire Eagle for Snow Removal and Parking Ban
- [#5] Approval of Fire Truck Purchase – Greenwood Emergency Vehicles
- [#6] Street Light Requests
- [#7] Quarterly Project Review List (Page 2)

*** Selectmen's Meeting of 11-12-15 postponed to 11-16-15**